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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,927	12/16/2003	Shahar Bar-Or	1005-5-01 USP	5819

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EXAMINER

MASON, DONNA K

ART UNIT

PAPER NUMBER

2111

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/736,927	<b>Applicant(s)</b> BAR-OR, SHAHAR	
	<b>Examiner</b> Donna K. Mason	<b>Art Unit</b> 2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 and 6-16 is/are allowed.
- 6) ☒ Claim(s) 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed July 28, 2005 contains references, which were previously cited and considered by the Examiner in form PTO-892, mailed on June 29, 2005. To avoid a duplication of citations in the prosecution history, the information disclosure statement has been placed in the application file, but the Examiner has drawn a line through the duplicate citations.

### ***Response to Arguments***

2. Applicant's arguments (see pages 5-6), filed September 29, 2005, with respect to the 35 USC 102(b) rejection of claims 1-4 and 6-16 have been fully considered and are persuasive. The rejection of claims 1-4 and 6-16 has been withdrawn.

3. Applicant's arguments filed September 29, 2005 have been fully considered but they are not persuasive.

In response to applicant's arguments, the recitation "included in a single electronic device without intervention of a secondary external interface" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural

limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Therefore, the Examiner cannot allow claims 17 and 18.

### ***Claim Objections***

4. Claim 17 is objected to because of the following informalities: In line 8, change "UARTs" to --UART--. Appropriate correction is required. See 37 CFR 1.75.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,884,102 to England, et al. ("England").

With regard to claim 17, England discloses a method for controlling data communications between an external interface (Fig. 3A, item 306) and first and second chips (Fig. 3A, items 310 and 300) included in a single electronic device without intervention of a secondary external interface, the first chip including first and second universal asynchronous receiver-transmitters (UARTs) (Fig. 3A, items 317 and 316) and the second chip having a third UART (Fig. 3A, item 309) the method including: monitoring signals communicated from the external interface to the first UART: and

routing data from the first UART to the third UART, via the second UART, in response to detecting a switch signal (Fig. 3A, item 318; and see *generally*, column 3, lines 11-67 to column 4, lines 1-67), as recited in claim 17.

With regard to claim 18, England discloses the method, further including: monitoring signals communicated from the third UART to the second UART; and routing data from the third UART to the first UART, via the second UART, in response to detecting a switch signal (Fig. 3A, item 318; and see *generally*, column 3, lines 11-67 to column 4, lines 1-67).

Therefore, England discloses the invention as specified in claims 17 and 18.

### ***Allowable Subject Matter***

7. Claims 1-4 and 6-15 are allowed.
8. The following is a statement of reasons for the indication of allowable subject matter: The primary reason for the allowability of claims 1-4 and 6-15 is the inclusion of the limitation, "communicating data between the first external interface and the second microcontroller via the first and second UARTs without intervention of a second external interface of the electronic device, in response to the switching mechanism detecting a predetermined signal" as recited in independent claim 1 and a similarly recited in independent claims 6 and 11. The prior art is not directed to a method and computing system, as claimed, where data is communicated, without intervention of a second external interface of an electronic device, in the manner claimed.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donna K. Mason whose telephone number is (571) 272-3629. The examiner can normally be reached on Monday - Friday, 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DKM

  
REHANA PERVEEN  
SUPERVISORY PATENT EXAMINER  
11/16/05